ABC's Scheduling of Oswald Film Forces CBS to Hold Off Its Version

By LES BROWN

ABC-TV has beaten CBS in the race to the draw, with a made-for-television movie on Lee Harvey Oswald, the accused assassin of President Kennedy who himself was killed by Jack Ruby in 1963 before he could be brought to trial.

The four-hour ABC film, "The Trial of Lee Harvey Oswald," has been scheduled to play in two parts, the first on a Friday night, Sept. 30, and the second Sunday, Oct. 2. The scheduling has caused CBS to hold off the presentation of its own three-hour film, "Ruby and Oswald," which had earlier been spoken of as a tentative entry for November, the anniversary month of the assassination.

Lou Rudolph, a program vice president at ABC, maintained that the scheduling of "The Trial of Lee Harvey Oswald" so soon in the new season was not a competitive maneuver to frustrate CBS.

"This is too important a film on too sensitive a subject for us to have rushed it," Mr. Rudolph said. "We've worked on it for two years—the research alone took a full year—and we scheduled it early in the season because we felt it's ready to go now."

"It's natural in television to schedule the strongest movies first," he added.

B. Donald Grant, program chief for CBS, said there had never been a firm date for "Ruby and Oswald" and that the network was still studying the schedule for the most appropriate time to play the film. The three-hour production will undoubtedly be scheduled on a single evening in prime time, between 8 P.M. and 11.

"Our film deals with historical fact; ABC is dealing with — what? fiction? — yes, fiction," Mr. Grant remarked.

The ABC movie supposes what would have occurred if Ruby had not shot Oswald. But according to Charles Fries, the film's executive producer, although the courtroom, the judge and the lawyers are fictional, the film is otherwise based on facts and incidents that are "thoroughly authenticated."

The trial distills information from testimony and evidence presented to the Warren Commission, from reports on the Federal Bureau of Investigation by the House Judiciary Committee and from the more recent inquiry into the assassination by the Senate Committee on Intelligence Operations.

"We have taken every precaution against distortion of history. Our primary purpose is to allow the audience to view Oswald and the J.F.K. assassination in the light of all the revelations and events of the last 14 years," Mr. Fries said.

He added that the device of the fictional courtroom made possible the examination by the prosecution and defense of the various "conspiracy" theories that have grown up around the assassination case.

The film's conclusion, created by Robert E. Thompson, author of the screenplay, is being kept secret by the producers and the network until it is broadcast Oct. 2.

Ben Gazzara stars in the film as the prosecutor, and Lorne Greene portrays the defense lawyer. Oswald is played by John Pleshette and his wife, Marina, by Mo Malone.

In the CBS film, a straight dramatization of the events that occurred during the four days in Dallas following the assassination, Oswald is played by Frederick Forrest and Jack Ruby by Michael Lerner. The screenplay was written by John and Michael McGreevey.

Dramatizations of recent history have proved popular on television so far this season. "Washington: Behind Closed Doors," the 12-hour fictionalized serial on the Nixon Presidency, was a substantial hit two weeks ago. And Sunday night, ABC dominated the 9 P.M. to 11 period with a made-for-television film, "Young Joe, the Forgotten Kennedy." It was the decisive winner in the Nielson overnight ratings for New York, Los Angeles and Chicago.